REMARKS

Applicants request favorable reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 38-42, 45-50, 53-58, 61-66, and 69-77 are pending in the present application. Claims 38-41 are the independent claims.

Claims 38-41 have been amended. Applicants submit that support for these amendments can be found in the original disclosure at least, for example, at page 12, lines 1-4, page 20, line 13 through page 21, line 12, and page 26, line 1 through page 27, line 13. Therefore, Applicants submit that no new matter has been added.

Claims 38-41, along with 42, 45-50, 53-58, 61-66 and 69-77 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner based this rejection on the incorrect assertion that Applicants cited page 2, line 2 through page 3, line 7 of the specification as providing support for the claims. That is not the case. In the Preliminary Amendment, Applicants cited that portion of the specification in discussing a *conventional* system. Specifically, Applicants said, "[a]s discussed in the <u>background section</u> of the specification (e.g., page 2, line 2 through page 3, line 7), one <u>conventional</u> system . . ." (emphasis added). Hence, the Examiner's assertion that this portion of specification was cited as support for the claimed invention is clearly incorrect. In fact, support for the claimed invention can be found, for example, at least at page 12, lines 1-4, at page 13, line 20 through page 21, line 12, and at page 26, lines 1 through page 27, line 13 of the specification. Accordingly, withdrawal of the rejection is requested.

Claims 38, 39, 40, 41, 42, 45-47, 50, 53-55, 58, 61-63, 66, 69-70, and 73 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,611,599 (Natarajan). Claims 48, 49, 56, 57, 64, 65, 71, and 74-77 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Natarajan. Applicants respectfully traverse these rejections for the reasons discussed below.

As recited in independent Claim 38, the present invention includes, *inter alia*, the features of a calculation unit that (a) performs a predetermined calculation using an encoded digital image and confidential information, wherein the predetermined calculation does not include either using a hash function or encryption using the confidential information, and (b) generates additional data by applying a one-way function to a result of the predetermined calculation unit. Applicants submit that none of the cited art, either alone or in combination, discloses or suggests performing a predetermined calculation using a digital image and confidential information and then applying a one-way function to the result, where the predetermined calculation does not include either using a hash function or encryption using the confidential information.

The Examiner continues to assert that the Abstract of Natarajan teaches that a watermark is a one-way function. That simply is not the case. Although the Abstract discusses steps out-of-order, it discloses (1) performing a hash function on source data to obtain a message digest (M), (2) encrypting the message digest (M) using public key encryption to obtain an encrypted message digest (S), and (3) deriving a watermark from the encrypted message digest (S). Hence, the hash function (or one-way function) mentioned in the Abstract of Natarajan is used in generating the message digest (M), two

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steps prior to deriving the watermark. This is consistent with the disclosure of <u>Natarajan</u> in Fig. 1 and at Col. 2, lines 31-39. Hence, Applicants respectfully submit that there is no support for the assertion that <u>Natarajan</u> teaches generally that a watermark is a one-way function.

Moreover, Applicants have amended Claim 38 to recite that the claimed predetermined calculation does not include either using a hash function or encryption using the confidential information. This amendment is believed to clarify that the claimed predetermined calculation does not include using a hash function. Thus, Claim 38 recites that a predetermined calculation, other than encryption or a hash function, is performed using a digital image and confidential information, and then a one-way function is applied to the result of the predetermined calculation   Applicants submit that this feature is clearly not disclosed or suggested by the cited art.

For the foregoing reasons, Applicants submit that the present invention recited in independent Claim 38 is patentable over the art of record. The other independent claims recite features similar to those of Claim 38 discussed above, and those claims are believed patentable for reasons similar to Claim 38.

The dependent claims are believed patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, this application is believed to be in condition for allowance. Favorable reconsideration, withdrawal of the outstanding rejections, and an early Notice of Allowance are requested.

If the Examiner believes there are any unresolved issues, Applicants respectfully request that the Examiner telephone Applicants' undersigned representative to discuss them in a telephone interview, in order to expedite prosecution.

Applicants' undersigned attorney may be reached in our Washington, DC office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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